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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

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8 GEORGE KINTER AND MARY KINTER, )  
9 Plaintiffs, ) NO. CV-10-3023-LRS  
10 -vs- ) ORDER OF DISMISSAL  
11 KEN SALAZAR, et al, )  
12 Defendants. )

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13 In response to the Order to Show Cause entered herein on March 7,  
14 2011 (ECF No. 6), counsel for plaintiffs indicated (ECF No. 7) that the  
15 issues raised by plaintiffs' Complaint remain active and have not been  
16 resolved due to difficulties in locating witnesses and moving forward.  
17 Counsel for plaintiffs requested an additional delay of 60 days to  
18 attempt resolution and/or to refine the issues raised herein and avoid  
19 possible additional legal proceedings. The court then ordered  
20 plaintiffs to file a status report no later than May 27, 2011 setting  
21 forth the actions undertaken to resolve and/or move this matter forward  
22 on the trial docket (ECF No. 8). Such status report has not been  
23 forthcoming. The court finds that pursuant to Fed.R.Civ.P. Rule 41(b),  
24 this action has not been prosecuted with "reasonable diligence" and will  
25 be dismissed. See *Anderson v. Air West, Inc.*, 542 F.2d 522, 524 (9<sup>th</sup>  
26 Cir.1976). Accordingly,

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2       **IT IS ORDERED** that this case be **DISMISSED WITHOUT PREJUDICE** for  
3 failure to prosecute and failure to comply with court orders.

4       **DATED** this 9th day of June, 2011.

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6                               ***s/Lonny R. Suko***

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                              LONNY R. SUKO  
                              UNITED STATES DISTRICT JUDGE